Application No.: 09/489,517   Docket No.: 99-445

REMARKS

This amendment is responsive to the final Office Action of November 15, 2004.
Claims 1, 2, 6-15, 18-30 and 32-37 were presented for examination. Claims 1, 2, 6-13, 26 and
37 were allowed while claims 14, 15, 19-25, 27-30 and 32-36 were rejected. Claim 18 has been
objected to, but would be allowable if rewritten in independent form including all the limitations
of the base claim and any intervening claims. Applicant thanks the Examiner for indicating that
claims 1, 2, 6-13, 26 and 37 are allowable and that claim 18 would be allowable if rewritten in
independent format. By this amendment, claims 14 and 36 have been amended, while claims 18
and 27-30 have been canceled. Thus, claims 1, 2, 6-15, 19-26 and 32-37 remain pending.
Applicant submits that no new matter has been added by this amendment and that support for the
claims, as amended, may be found throughout the specification and drawings.

35 U.S.C. § 102

a.) Rejections Using *Messinger et al.*

Claims 27-30 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S.
Patent No. 6,687,570 to *Messinger et al.*

By this amendment, claims 27-30 have been canceled in view of the above rejection.
Accordingly, applicant respectfully requests that these claims be withdrawn from further
consideration and that this rejection be withdrawn.

35 U.S.C. § 103

a.) Rejections Using *Messinger et al.* In View of *Lane*

Claims 32 and 33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over
U.S. Patent No. 6,687,750 to *Messinger et al.* in view of U.S. Patent No. 5,437,009 to *Lane.*
Applicant respectfully traverses.

Independent claim 32 is directed to an interactive graphical user interface for
visualizing a network having a polarity of nodes. The graphical user interface includes, "a
network topology diagram configured to display at least some of the nodes, links connecting the

8

Application No.: 09/489,517   Docket No.: 99-445

nodes, and messages transmitted through the network". Additionally, the interface provides, "replay controls that permit an operator to control a replay sequence of the network as the network operates over a period of time wherein the replay controls include a <u>reset control</u>". The prior art cited by the Examiner does not teach or suggest a "reset control".

Messinger et al. teaches a visualization application, which enables the user to collect and store information concerning various aspects of network traffic and/or activity. The stored information may be retrieved by the user for display at stated times or at the request of the user. See column 1, lines 56-67; column 2, line 1-18. The Examiner concedes that *Messinger et al.* does not teach an interactive graphical user interface that has replay controls, including a reset control as recited in claim 32.

Lane teaches a method and system for displaying status information of communication networks. This system includes a plurality of features that allows the user to control the viewing of the status information on a display screen. Such features include forward play, backward play, forward search, backward search, forward step, and backward step among other features. However, *Lane* <u>does not disclose or teach a "reset control" that resets the display screen to the beginning of the status information when actuated</u> as recited in claim 32. (See page 9, line 24 through page 10, line 5; FIG. 6 reference number 634.)

On page 4, paragraph 11 of the Office Action, it is asserted that *Messinger et al.* allows for a user to play back information by selecting a starting and ending time periods over which stored information is to be displayed. It is further asserted that *Lane* provides motivation for going back and forth in time using the controls such that a particular search is played over and over again. Even if the Examiner's recitation of the teachings and motivations provided in *Messinger* and *Lane* were as stated by the Examiner (Applicant does not agree), the Examiner has not identified any teaching in either reference of a "reset control" that resets the display screen to the beginning of the status information by pressing a single button. The combination of the cited references provides disclosure of control features such as forward step, backward step, fast forward, rewind, pause, forward play and backward play. However, there is no disclosure or teaching of <u>a reset control feature</u> and neither of the cited references provides motivation for one having ordinary skill in the art to produce the claimed invention.

<div align="center">9</div>

Application No.: 09/489,517   Docket No.: 99-445

Accordingly, claim 32 as well as its dependent claim is patentable in view of the cited references. As such, it is respectfully requested this rejection be withdrawn.

b.) Rejections Using _Messinger et al._ In View of _Aramizu et al._

Claims 34-36 are rejected under 35 U.S.C. § 103 as being unpatentable over _Messinger et al._ in view of U.S. Patent No. 6,625,659 to _Aramizu et al._ Although not cited, _Grace_ is used to support the present rejection.

Claim 34 is directed to a method for visualizing a network having a plurality of nodes wherein the method includes the steps of: (i) "recording network events by one or more of the nodes over a period of time"; (ii) "collecting the recorded events from the nodes"; (iii) "recording operation of the network over the time period from the recorded events"; (iv) "creating forwarding tables from the recorded events"; and (v) "displaying the recreated network operation". In structuring the rejection, _Grace_ was asserted to teach alerting an operator, using a visual display, of a relationship between historical events that have occurred in a network. _Messinger et al._ is relied on for teaching the steps of collecting information from at least one of the nodes and reconstructing the network operation for a period of time corresponding to the collected information for replaying to an operator of the system. _Aramizo et al._ is cited as teaching the limitation for creating forwarding tables from the recorded events to cure the deficiencies of _Messinger et al._

It is appreciated that reasons or incentives must be provided in order to combine the cited references and it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. One cannot use hindsight reconstruction to pick and choose among isolated disclosures and the prior art to deprecate the claimed invention.

Applicant submits that there is no reason, suggestion, or motivation in the cited references that would lead one of ordinary skill in the art to combine the references to produce the claimed invention. A general relationship between the fields of invention of the cited references does not suggest a motivation to combine the particular references. Determination of obviousness cannot be based on hindsight reconstruction of components selectively culled from

10

Application No.: 09/489,517   Docket No.: 99-445

the prior art to fit the parameters of the claimed invention. It is impermissible to reconstruct the claimed invention from selected pieces of prior art absent some suggestion, teaching, or motivation in the prior art to do so. *Interconnect Planning Corporation v Feil*, 774 F2d 1132, 1143 (Fed. Cir. 1985)

Without the requisite suggestion, teaching, or motivation to combine being found in the cited references, Applicant submits that the cited references do not adequately address the issue of motivation to combine and thus cannot be used to form the basis of an obviousness rejection. Accordingly, claim 34 and its dependent claims are patentable and Applicant respectfully requests that this rejection be withdrawn.

c.) Rejections Using *Messigner et al.* In View of *Aramizu et al.* and In Further View of *Feldmann*

Claims 14, 15 and 19-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Messinger et al.* in view of *Aramizu et al.* and in further view of U.S. Patent Application 2002/0021675 issued to *Feldmann*.

The Examiner indicated that claim 18 would be allowable if re-written in independent form and to include the limitations of base claim 14. Applicant has canceled claim 18 and incorporated the limitations of claim 18 in to claim 14. Accordingly, Applicant submits that claim 14 and claims 15 and 19-24 (which all depend from claim 14) are now in allowable form.

d.) Rejections Using *Grace* In View of *Aramizu et al.* And In Further View of *Feldmann*.

Claims 14, 15, 19, 23, and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Grace* in view of *Arazimu et al.* in further view of *Feldmann*. Applicant respectfully traverses.

As stated above, independent claim 14, as amended, now includes the limitations of claim 18, which the Examiner indicated would be allowable. Therefore, claim 14 and dependent claims 15, 19, 23 and 24 are allowable.

11

e.) Claim Rejections Using *Grace* In View of *Aramizu et al., Feldmann* And in Further View of *Lane*

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Grace* in view of *Aramizu et al., Feldmann,* and in further view of U.S. Patent No. 5,437,009 to *Lane.* Applicant respectfully traverses.

As stated above, independent claim 14, as amended, now includes the limitations of claim 18, which the Examiner indicated would be allowable. Therefore, claim 14 and dependent claim 25 are allowable.

f.) Rejections Using *Messinger et al.* In View of *Aramizu et al., Feldmann* and In Further View of *Lane*

Claim 25 is rejected under 35 U.S.C. 103(a) s being unpatentable over *Messinger et al.* in view of *Aramizu et al., Feldmann* and in further view of *Lane.* Applicant respectfully traverses.

As stated above, independent claim 14, as amended, now includes the limitations of claim 18, which the Examiner indicated would be allowable. Therefore, claim 14 and dependent claim 25 are allowable.

Application No.: 09/489,517   Docket No.: 99-445

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 07-2347, under Order No. 99-445 from which the undersigned is authorized to draw.

Dated: January 14, 2005   Respectfully submitted,

By_____
Joel Wall
Attorney for Applicants
   Registration No.: 25,648
Verizon Corporate Services Group Inc.
c/o Christian Andersen
600 Hidden Ridge Drive
Mailcode HQE03H14
Irving, TX 75038
Telephone: 972-718-4800
Customer No.: 32127

13